

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

IN RE:

JUAN F. GARCIA,

Debtor

Chapter 13

Case No.: 12-73582-REG

~~THIRD~~ ^{(FS) J6}
~~SECOND AMENDED CHAPTER~~
13 PLAN

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EASTERN DISTRICT OF
NEW YORK

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1. The future earnings of the debtor is submitted to the supervision and control of the trustee, and the debtor shall pay to the trustee for a total of sixty(60) months, the sum of: ^{(FS) J6} \$26,720.00 w/ file

\$380.00 commencing July 4, 2012 through and including October 4, 2012 for a period of four (4) months and then ^{450.00 (FS) J6} \$400.00 commencing November 4, 2012 through and including June 4, 2017 for a period of fifty-six (56) months for a total period of sixty (60) months.

2. From the payments so received, the trustee shall make disbursements as follows:

- (a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C §507.
- (b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

Holder of first mortgage shall retain the lien securing such claim and shall be paid as follows: GMAC Mortgage (first mortgage holder on debtor's real property located at 4529 Bellemeade Drive, Douglasville, GA 30135), acct. No.- xxxxx8126) to be paid pre-petition arrears in the amount of \$19,937.51.

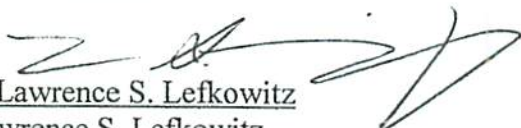
(c) Subsequent and/or concurrently with distribution to secured, priority, and administrative creditors, dividends to unsecured creditors whose claims are duly allowed as follows: **PRO RATA distribution to all timely filed proofs of claim of not less than five (5)% (percent)**

(d) Claim held by Teachers Federal Credit Union in the amount of \$2,799.00 for automobile loan, acct. No. xxxxxx0300 on the debtor's 2003 Nissan 350Z, shall be reclassified pursuant to U.S.C. Section 506, which amount shall be paid over the life of the plan, plus three (3) percent interest.

3. The Debtor shall make all post-petition payments, including but not limited to mortgage payments, vehicle payments (except for debt to Teachers Federal Credit Union) real estate taxes and income taxes, outside the plan.

4. All lease agreements are hereby assumed, unless specifically rejected.

5. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the debtor shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed.
6. Title to the debtor's property shall revert to the debtor upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming the plan. Throughout the term of his plan, the debtor will not incur post-petition debt over \$2,000.00 without written consent of the Chapter 13 Trustee or the Court.


/s/Lawrence S. Lefkowitz

Lawrence S. Lefkowitz

Attorney for the Debtor

By: Jeffrey I. Stark
OF COUNSEL

Dated: October 10, 2012


/s/Juan F. Garcia

Juan F. Garcia